

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Mariama Moore,

No. 23-cv-3723 (KMM/TNL)

Plaintiff,

v.

**CASE MANAGEMENT  
ORDER**

Hamline University, et al.,

Defendants.

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In this Case Management Order, the Court addresses several motions filed by the parties and issues a briefing schedule concerning the Defendants' Motion to Dismiss.

***Plaintiff's Second Motion for Default Judgment***

In an Order dated February 27, 2024, the Court explained that the Defendants had until March 4, 2024 to answer or otherwise respond to the Complaint filed by the Plaintiff, Mariama Moore. Order (Feb. 27, 2024) (Doc. 47). In that same Order, the Court denied Ms. Moore's First Motion for Default Judgment because (1) she had not first obtained entry of default by the Clerk of Court; and (2) the record showed that the Defendants had not, in fact, failed to timely answer or otherwise respond to the Complaint. *Id.* On March 4, 2024, Defendants Hamline University, Hamline University Residential Life, Dean of Students Sydney De Lambo, Dean Patti Kersten, Vice President Carlos Sneed, David Everett, and Director of Residential Life Yolanda Hansen filed a Joint Motion to Dismiss Plaintiff's Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). Joint Mot. to Dismiss (Doc. 50). By filing their motion to dismiss,

Defendants have now timely responded to the Complaint. Consequently, Ms. Moore's Second Motion for Default Judgment (Doc. 48) is **DENIED**.

***Plaintiff's Ex Parte Requests Not to Dismiss Complaint***

Ms. Moore has filed three *ex parte* motions asking the Court not to dismiss her Complaint. One was filed on February 20, 2024, prior to the Defendants' submission of their motion to dismiss. (Doc. 46). The second was filed on March 4, 2024. (Doc. 55). The third was filed on March 5, 2024. (Doc. 58). In this Order, the Court sets a briefing schedule for the Defendants' motion to dismiss giving Ms. Moore an opportunity to file a full memorandum of law setting forth her arguments in response to the Defendants' motion. Therefore, the *ex parte* motions (Doc. 46, 55, 58) are **DENIED** as moot. Further, based on the Court's review, there is no basis for the motions having been filed *ex parte*. Accordingly, the Clerk of Court is directed to remove the *ex parte* designations and restrictions from the filings at docket entries 46, 55, and 58.

***Plaintiff's Ex Parte Motion for Restraining Order***

On March 4, 2024, Ms. Moore filed an *ex parte* motion seeking a restraining order against several students who also attend Hamline University who are not parties to this case. (Doc. 56). The motion asserts that Ms. Moore has requested such relief from Minnesota state courts and alleges that these non-parties should be charged criminally. The motion (Doc. 56) is **DENIED**, and the Clerk of Court is directed to remove the *ex parte* designation and restrictions from the filing at docket entry 56.

***Briefing Schedule***

Because Ms. Moore is representing herself in this litigation, the Court finds it appropriate to issue a briefing schedule setting forth the deadline by which she must respond to the Defendants' Motion to Dismiss. Accordingly, the Court enters the following Briefing Order:

1. **On or before March 25, 2024**, Ms. Moore shall file a written response in opposition to Defendants' Motion to Dismiss. *See* D. Minn. LR 7.1(c)(2) (providing that a party responding to a dispositive motion shall file a memorandum of law and any affidavits and exhibits in response to the motion within 21 days after the dispositive motion is filed). Ms. Moore's response must not be filed *ex parte*.
2. Defendants shall file a reply in support of their Motion to Dismiss **within 14 days after Ms. Moore files her response**. *See* D. Minn. LR 7.1(c)(3) (providing a 14-day deadline for a reply in support of a dispositive motion).
3. No other briefing on the motion shall be permitted or considered without express prior approval. Upon receipt of the briefing permitted by this Case Management Order, the Court will take the Motion to Dismiss under advisement and issue a written decision without a hearing.

**IT IS SO ORDERED.**

Date: March 6, 2024

*s/Katherine Menendez*

United States District Judge  
District of Minnesota